



image 03-23-04

AF/1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT'S APPEAL BRIEF AND RESPONSE TO ADVISORY ACTION

Applicant: Woods et al.
Title: Process for Hydroxyalkylating Carboxylic Acid-Functionalized
Materials
Serial No: 09/341,287
Filed: August 19, 1999
Atty. Docket No.: 1221.002USU/LC-302/PCT/US
Examiner: D. R. Wilson
Art Unit: 1713

Mail Stop: AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

We are enclosing for filing in the above-identified application the following:

1. Response to Advisory Action;
2. Response to Notification of Non-compliance;
3. Amended Appellant's Appeal Brief (in triplicate);
4. Transmittal letter (in duplicate); and
5. Return Postcard.

Notice of Appeal and Appeal Brief Fees in the amount of $2 \times \$320.00 = \640 have already been paid by Appellant for the Notice of Appeal and the Appeal Brief filed on May 20, 2002 and September 30, 2002, respectively, in the above identified application.

Applicant believes that no additional fees are due for this Appeal.

The Commissioner is hereby authorized to charge \$ _____ and **any additional fees which may be required** in the present communications or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467** in the name of Ohlandt, Greeley, Ruggiero & Perle.

A duplicate copy of this Transmittal Letter is attached.

Respectfully submitted,

Date: March 22, 2004

By: V. Alexanian
Vazken A. Alexanian
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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV 367695435 US**, addressed to: **Mail Stop: AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **March 22, 2004**.

Vazken A. Alexanian
Name

V. Alexanian
Signature

March 22, 2004
Date



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO NOTIFICATION OF NON-COMPLIANCE

The following is in response to the Notification of Non-Compliance dated
February 26, 2004.

REMARKS

In response to the Notification of Non-Compliance dated February 26, 2004 and also in response to the Advisory Action dated February 20, 2004, which stated that the amendment of claim 23 would be entered for purposes of Appeal if claim 43 was canceled and if the applicants also filed an amended appeal brief not including claim 43, Applicants have:

(1) filed a Response to the Advisory Action canceling claim 43 (see the Response to Advisory Action filed herewith); and

(2) filed an amended Appeal Brief (see the amended Appeal Brief filed herewith).

The amended Appeal Brief does not include claim 43, the statement that "The claims do not stand or fall together" has been deleted and additional corrections necessitated by these changes have also been made.

Therefore, Applicants respectfully request that the amended Appeal Brief be used for the purposes of Appeal.

Respectfully submitted,

Date: March 22, 2004

By:

N. Alexanian

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